

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
EASTERN DIVISION

TONY WAYNE MOORE,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:05-CV-215-F
)	WO
TALLAPOOSA COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge entered on March 9, 2005 (Doc. #5), said Recommendation is hereby adopted and it is the

ORDER, JUDGMENT and DECREE that:

1. The plaintiff's claim against the Tallapoosa County Jail and his derogatory comment claim against defendant Madson is DISMISSED with prejudice pursuant to the provisions of 28 U.S.C. § 1915(e)(2)(B)(i).

2. The Tallapoosa County Jail is DISMISSED from this cause of action.

3. The remaining claims for relief against defendants Duboise, Moss, Marshall and Madson are referred back to the magistrate judge for appropriate proceedings

DONE this 21st day of March, 2005.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

